



Senate

General Assembly

File No. 267

February Session, 2016

Substitute Senate Bill No. 240

Senate, March 29, 2016

The Committee on Public Safety and Security reported through SEN. LARSON of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ELIMINATING THE REQUIREMENT FOR A FENCE AROUND A SPLASH PAD OR SPRAY PARK.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (4) of subsection (c) of section 19a-36 of the
2 2016 supplement to the general statutes is repealed and the following
3 is substituted in lieu thereof (*Effective October 1, 2016*):

4 (4) Notwithstanding subsection (a) of this section, regulations
5 governing the safety of public pools shall not require fences around
6 (A) naturally formed ponds subsequently converted to public pool use,
7 provided the converted ponds [(A)] (i) retain sloping sides common to
8 natural ponds, and [(B)] (ii) are on property surrounded by a fence, or
9 (B) a splash pad or spray park.

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|-----------------|--------------|
| Section 1 | October 1, 2016 | 19a-36(c)(4) |
|-----------|-----------------|--------------|

Statement of Legislative Commissioners:

The title was changed for accuracy and "and" was changed to "or" for clarity.

PS *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

| Municipalities | Effect | FY 17 \$ | FY 18 \$ |
|------------------------|-------------------|-----------------|-----------------|
| Various Municipalities | Potential Savings | See Below | See Below |

Explanation

The bill allows municipalities to build splash parks and spray pads without having to build a fence around them.

To the extent that municipalities build splash parks and spray pads, there is a potential savings associated with no longer having to build a fence around them. Such savings would vary based on the size of the fence, and the cost of the fencing materials and labor.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 240*****AN ACT ELIMINATING THE REQUIREMENT FOR A FENCE AROUND A SPLASH PAD OR SPRAY PARK.*****SUMMARY:**

This bill prohibits regulations governing the safety of public pools from requiring fences around splash pads or spray parks. The same prohibition applies, under existing law, to naturally formed ponds converted to public pools, provided they retain sloping sides common to natural ponds and are on fenced-in property.

By law, splash pads and spray parks are classified as special purpose public pools (CGS § 19a-36(c)(2)(E)). State regulations require such pools to meet the same design requirements as public pools, which include a fence or other barrier (Conn Agencies Reg. § 19-13-B33b(b) & (f)).

EFFECTIVE DATE: October 1, 2016

BACKGROUND***Splash Pads and Spray Parks***

A splash pad or spray park is a recreational play area fitted with a nonslip or rubber matting surface and various nozzles and features that can shower, spray, mist, and shoot water. As water splashes onto the surface, it is collected, filtered, and recirculated to keep it flowing.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 25 Nay 0 (03/10/2016)